

IFW

Practitioner's Docket No. 1429-131

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of _____

Inventor(s)

for _____

Title of invention

the specification of which is being transmitted herewith

OR

In re application of: DAVID, Guy

Application No.: 10 /777,497 Group No.: 3725

Filed: February 12, 2004 Examiner:

For: DEVICE FOR SEPARATING THE HARD COMPONENTS OF A GRINDER
USED IN THE FIELD OF THE FOOD INDUSTRY, AND IN PARTICULAR
FOR THE MINCING OF MEAT

Assistant Commissioner for Patents

Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

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requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Information Disclosure Statement [6-1]—page 1 of _____)

NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant:

- (1) Within three months of the filing date of a national application;
- (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or
- (3) Before the mailing date of a first Office action on the merits, whichever event occurs last."

37 C.F.R. § 1.97(b).

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).

NOTE: The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13 -25 at 17.

WARNING: "No information disclosure statement may be filed in a provisional application." 37 C.F.R. § 1.51(b).

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: discard unused sections
and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☐ Identification of Prior Application in Which Listed Information Was Already Cited
and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
 - 7A. ☐ EPO Search Report
 - 7B. ☐ English Language Version of EPO Search Report
8. ☐ Translation(s) of Non-English Language Documents
9. ☒ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections _____, respectively, have been continued on ADDED PAGE(S).

NOTE: "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

Section 1. Preliminary statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 6. Copies of Listed Information Items Accompanying This Statement

NOTE: 37 C.F.R. 1.98(a)(2) requires that any information disclosure statement filed under § 1.97 shall include: "A legible copy of: (i) Each U.S. and foreign patent; (ii) Each publication or that portion which caused it to be listed; and (iii) All other information or that portion which caused it to be listed, except that no copy of a U.S. patent application need be included . . ."

NOTE: The wording in § 1.98(a)(2)(iii) makes it clear that the requirement to submit a copy of each item of information listed in an information disclosure statement does not apply to the citation of a U.S. patent application. Notice of January 9, 1992, 1135 O.G. 13-25, at 14.

Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement.

(complete the following, if applicable)

- ☐ Exception(s) to above:
 - ☐ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.
 - ☐ Cumulative patents or publications identified in Section 5.

Section 9. Concise Explanation of English Language Listed Information Items (OPTIONAL)

NOTE: *"Applicants may, if they wish, provide a concise explanation of why English-language information is being submitted and how it is understood to be relevant. Concise explanations are helpful to the Office, particularly where documents are lengthy and complex and applicant is aware of a section that is highly relevant to patentability or where a large number of documents are submitted and applicant is aware that one or more are highly relevant to patentability." Notice of April 20, 1992 (1138 O.G. 37-41, 38).*

U.S. Patent No. 5,443,214, issued on August 22, 1995 to Lesar, presents a meat grinder including an orifice plate mounted to a housing outlet. The orifice plate has a series of outer grinding passages through which soft material passes and a series of spaced hard material collection passages toward the center of the orifice plate. A ramped entryway is formed in the orifice plate adjacent each collection passage and defines a structure for facilitating the routing of hard material into the collection passages. A discharge auger is mounted to the end of the centering shaft and extends through the collection cavity for rotation along with the feed screw and the centering shaft. The housing has ribs or flutes to ensure axial movement of the hard material upon rotation of the discharge auger. A discharge tube is removably connected to the collection housing and a series of nozzle inserts are engageable with the discharge tube for controlling the flow rate of the hard material therethrough by providing differently sized passages for restricting the discharge of the hard material from the collection housing.

U.S. Patent No. 5,417,376, issued on May 23, 1995 to Holmes et al., teaches a device for regulating the discharge of bones and other hard, objectionable material from processed food that includes a flow control device contained within a housing applied to the discharge line downstream of a grinding apparatus. The device has a reciprocating valve element having an elongated cylindrical valve head with a groove formed therein at an angle to the longitudinal axis of the valve element. This groove is constantly contacted by the discharge product flow stream in open and closed positions of the valve.

U.S. Patent No. 4,978,077, issued on December 18, 1990 to Huebner et al., discloses a conventional meat grinder that contains a chopper knife and a chopper plate, the chopper knife rides on the inner surface of the chopper plate and directs the bone fragments, sinews and gristle inwardly toward the central portion of the chopper plate as it chops the meat. The central portion of the chopper plate has a funnel-shaped, frusto-conical central passageway within which the bone fragments, gristle and sinews are collected and are urged outward, first passing through the frusto-conical passageway and out the small end of the passageway, into opposed discharge channels which pass through the hub of the plate and communicate with a discharge tube whose distal end is closed or partially closed by a removeable stopper or adjustable clamp.

U.S. Patent No. 4,795,104, issued on January 3, 1989 to Rudibaugh, teaches a bone chip removal and ground meat separating unit for use with a meat grinding apparatus having at least one further meat processing unit downstream thereof and wherein the grinding apparatus includes

a casing with a centrally apertured end cap secured thereto for holding a centrally hubbed, perforated die plate with at least one bone chip discharge channel extending through the hub, and including a ground meat discharge conduit having an entrance end adapted to be secured to the end cap for receiving ground meat extruded through the perforations, and a bone chip removal tube having one end adapted to be secured to the hub for receiving bone chips discharged through the channel and another end communicating with an exit opening in the conduit downstream.

U.S. Patent No. 4,699,325, issued on October 13, 1987 to Hess, describes a combination of a perforated plate for a rotary meat grinder and a stud journaled in a cylindrical bore in the plate and adapted for rotatably supporting an auger which impels meat in the direction of the plate and a knife interposed between the auger and the plate in shearing relation to the upstream face of the plate. The plate has a disk-like body portion with an integral generally cylindrical hub portion projecting downstream from the body and a counterbore adjacent to its upstream face and surrounding the cylindrical bore, and a stud shaft portion journaled in the cylindrical bore defines with the walls of the counterbore an annular bone-collecting pocket around the shaft portion.

French Patent No. 2,474,342, issued on July 31, 1981 to Richter, teaches a machine of the kitchen, that relates more specifically to a cutting machine and in particular to a mincing machine of a kind including a set of cutting tools, laid out along a central axis of the cutting machine, to which the matter to be split up can be brought, and at least a disc with holes equipped with a drilling hub, as well as cutting tool at least, turning on a driving shaft which can be placed in the drilling hub, in front of the first frontal surface of the disc with holes being presented at the matter to chop conveyed; by means of this tool, one envisages the separation of the hard parts contained in the matter to chop which gather in front of the first frontal surface and the hard parts can be evacuated by an exit of evacuation envisaged in the area of the central axis.

U.S. Patent No. 4,202,502, issued on May 13, 1980 to Laska, proposes a meat grinder that comprises a perforated disc member and a coaxial knife member with a plurality of cutting blades. The members have cooperating end faces and one member is mounted on a shaft for rotation relative to the other. Each cutting blade end face defines a plurality of waste discharge grooves and each groove has an inlet point at the shearing edge of the blade and extending from the inlet point towards the entrance to a waste discharge tube. The inlet points of the grooves defined circular paths coaxial with the disc and knife members and each groove extends in a direction deviating from the circular paths.

Section 10. Identification of Person(s) Making This Information Disclosure Statement

The person making this statement is

(check each applicable item)

- (a) ☐ the inventor(s) who signs below

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c))

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (c) ☒ the practitioner who signs below on the basis of the information:

(check each applicable item)

- ☐ supplied by the inventor(s).
☐ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. § 1.56(c))
☒ in the practitioner's file.

SIGNATURE OF PRACTITIONER

John S. Egbert

(type or print name of practitioner)

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